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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,963	02/27/2004	Radha Sen	200312102-1	9177

22879 7590 12/07/2010  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
3404 E. Harmony Road  
Mail Stop 35  
FORT COLLINS, CO 80528

EXAMINER
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YOON, TAE H

ART UNIT	PAPER NUMBER
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1762

NOTIFICATION DATE	DELIVERY MODE
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12/07/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10789963	2/27/04	SEN ET AL.	200312102-1

HEWLETT-PACKARD COMPANY  
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3404 E. Harmony Road  
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FORT COLLINS, CO 80528

**EXAMINER**

Tae H. Yoon

ART UNIT	PAPER
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1762	20101202
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DATE MAILED:

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**Commissioner for Patents**

Appellant chose to file amendment on November 15, 2010 after the decision by the Board rather than filing a RCE. However, such amendment is improper and thus it is NOT entered for reasons given below because prosecution is closed. Notice of abandonment will be issued shortly if appellant had not filed the request for seeking Court review.

1. All claims stand rejected and the period for seeking court review appears to have lapsed. Thus, the application is abandoned. See MPEP 1214.06.
2. Appellant is not entitled to have such amendment entered as a matter of right unless the amendment is submitted with a request for continued examination (RCE) under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) since prosecution is closed and since the proposed amendment was not suggested in an explicit statement by the Board under 37 CFR 41.50 (c ). See MPEP 1214.06 and 1214.07.
3. Even if somehow appellant had a right to file the amendment (the examiner does not think as though as the reason given above), the amendment has many defects/issues as following;
  - A. Preamble (The print medium AND microporous coating) recited in dependent claims lacks antecedent basis in the independent claim in which "A print medium HAVING a microporous coating" is recited. Again, such preamble is indefinite.
  - B. Dependent claim 87 has been rejected under the prior art along with the independent claim 48 and thus said claim 87 must be cancelled. See MPEP 1214.06.
  - C. Each dependent claims 80-90 should be combined with the claim 48, not with combined 48 and 49. Scope of amended claims 80-90 is different from that of the appealed claims 80-90 which were dependent on claim 48 only.
  - D. The final decision by the Board affirmed the rejection of all claims and thus all claims must be cancelled which would yield abandonment since no claim is allowed.

THY/December 2, 2010

/Tae H Yoon/  
Primary Examiner  
Art Unit: 1762